OIPE IAP80 MAY 22 2007 PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 97,078-P)

PATENT

In re Application of:	)	
	)	
Gocke et al.	)	
	)	
Serial No.: 10/680,060	)	**Before the Examiner: Unassigned**
	)	
Filed: October 7, 2003	)	**Group Art Unit: 1637**
	)	
For: Detection of Extracellular Tumor-Associated Nucleic Acid in Blood Plasma or Serum Using Nucleic Acid Amplification Assay	)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-described patent application: Information Disclosure Statement and return postcard.

2. GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES: Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 17, 2007.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: May 17, 2007

By: _____
Kevin E. Noonan, Ph.D.
Reg. No. 35,303

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INFORMATION DISCLOSURE STATEMENT

This statement is filed under 37 C.F.R. §§ 1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, Applicants hereby authorize the Commissioner to charge the fee to Deposit Account No. 13-2490.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: May 17, 2007

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FORM PTO-1449 (Rev. 2-32) U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Atty. Docket No. 97,078-P	Serial No. 10/680,060
	Applicant: Gocke et al.	
	Filing Date: 10/07/2003	Group: 1637

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number							Date	Name	Filing Date if Appropriate
		5	5	1	2	4	3	9	4-30-96	Hornes	
		6	0	9	0	5	6	6	7-18-00	Vogelstein	
		R	E	3	6	7	1	3	5-23-00	Vogelstein	
		5	5	1	2	4	4	1	4-30-96	Ronai	
		5	4	9	6	6	9	9	3-5-96	Sorenson	
		4	9	6	5	1	8	8	10-23-90	Mullis	
		5	5	2	7	6	7	6	6-18-96	Vogelstein	
		5	7	0	5	6	2	7	1-6-98	Manos	
		5	6	3	9	8	7	1	6-17-1997	Bauer	
		5	5	2	7	8	9	8	6-18-1996	Bauer	
		5	2	8	3	8	9	8	2-1-1994	Manos	
		5	1	8	2	3	7	7	1-26-1998	Manos	
		5	8	1	4	4	4	8	9-29-1998	Silverstein	

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FOREIGN PATENT DOCUMENTS

		Document Number							Date	Country	Class	Subclass	Translation	
													Yes	No
	1	WO	95	1	6	7	9	2	6/22/96					
	2	WO	89	0	0	2	0	6	11/12/89					
	3	WO	97	3	4	0	1	5	09/18/97					
	4	WO	96	1	5	1	3	9	05/23/96					

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